

March 21, 2014

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
March 21, 2014

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD FEBRUARY 21, 2014

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD FEBRUARY 21, 2014?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	137.....	18
Agriculture .....	330.....	18
Arts Council .....	16.....	2
Capitol Development Board.....	45.....	0
Central Management Services.....	1,450.....	114
Children and Family Services .....	2,665.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	367.....	67
Commerce Commission .....	71.....	0
Corrections .....	10,812.....	99
Criminal Justice Authority .....	54.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	84.....	5
Employment Security .....	1,356.....	30
Environmental Protection Agency.....	788.....	17
Financial & Professional Regulation.....	419.....	45
Gaming Board .....	146.....	6
Guardianship and Advocacy .....	103.....	7
Healthcare and Family Services .....	2,036.....	25
Historic Preservation Agency.....	154.....	16
Human Rights Commission.....	13.....	2
Human Rights Department.....	139.....	9
Human Services .....	11,582.....	76
Illinois Torture Inquiry Relief Commission .....	5.....	1
Insurance .....	218.....	16
Investment Board .....	3.....	2
Juvenile Justice.....	979.....	21
Labor .....	84.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd. ....	18.....	2
Lottery.....	142.....	6
Military Affairs .....	119.....	3
Natural Resources .....	1,087.....	30
Pollution Control Board .....	21.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,072.....	42
Racing Board.....	2.....	1
Revenue.....	1,772.....	53
State Fire Marshal .....	134.....	12
State Police.....	1,094.....	6
State Police Merit Board .....	5.....	1
State Retirement Systems.....	94.....	2
Transportation .....	2,162.....	0
Veterans' Affairs .....	1,250.....	9
Workers' Compensation Commission.....	133.....	11
<b>TOTALS .....</b>	<b>43,250.....</b>	<b>850</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C. Illinois Dept. of Agriculture – Proposed Exemption (continued from January 17, 2014 meeting and from February 21, 2014 meeting)**

Position Number	40070-11-12-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Illinois State Fair
Functional Title	Assistant Illinois State Fair Manager
Incumbent	Vacant
Supervisor	Illinois State Fair Manager who reports to the Assistant Director, who in turn reports to the Director
Location	Sangamon County

**CMS Recommendation:** “This position meets the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption**

Position Number	40070-42-70-000-10-01 (exemption expires 4/18/14)
Position Title	Senior Public Service Administrator
Bureau/Division	Energy and Recycling
Functional Title	Electric Vehicle Coordinator
Incumbent	Kate Tomford
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend continued 4d(3) exemption.”

**E. Illinois Dept. of Healthcare and Family Services – Proposed Exemption**

Position Number	40070-33-00-900-00-21
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Deputy Director for New Initiatives
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**F. Illinois State Police Merit Board – Proposed Exemption**

Position Number	37015-50-33-100-50-01
Position Title	Public Service Administrator
Bureau/Division	Fiscal/Human Resources
Functional Title	Fiscal Officer / Human Resources Administrator
Incumbent	Vacant
Supervisor	Executive Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois Department of Revenue – Proposed Exemption**

Position Number	40070-25-42-410-00-01 (exemption rescinded 11/18/11)
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Assistant CFO-Strategic Processes
Incumbent	Vacant
Supervisor	Chief Financial Officer, Administrative & Regulatory Shared Services Center
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**H. Illinois Department of Juvenile Justice – Proposed Exemption**

Position Number	40070-27-00-110-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Financial officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

- C: Assistant Illinois State Fair Manager, Agriculture**
- D: Electric Vehicle Coordinator, Commerce & Economic Opportunity**
- E: Deputy Director for New Initiatives, Healthcare & Family Services**
- F: Fiscal Officer/Human Resources Administrator, State Police Merit Board**
- G: Assistant CFO-Strategic Processes, Administrative & Regulatory Shared Services Center, Revenue**
- H: Chief Financial Officer, Juvenile Justice**

**VI. CLASS SPECIFICATIONS**

- None submitted.

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

**VII. MOTION TO CLOSE A PORTION OF THE MEETING**

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored.

<b>Agency</b>	<b>01/31/14</b>	<b>2/28/14</b>	<b>2/28/13</b>
Children and Family Services	0	<b>0</b>	3
Corrections	0	<b>0</b>	1
Employment Security	0	<b>0</b>	1
Healthcare and Family Services	0	<b>0</b>	2
Insurance	0	<b>0</b>	1
Natural Resources	0	<b>0</b>	1
Public Health	0	<b>0</b>	1
Revenue	0	<b>0</b>	5
State Retirement Systems	0	<b>0</b>	1
Transportation	0	<b>0</b>	7
Veterans' Affairs	0	<b>0</b>	4
<b>Totals</b>	0	<b>0</b>	27

X. INTERLOCUTORY APPEALS

**S-13-14**

Employee	Peter C. Vines	Appeal Date	12/17/13
Agency	State Police	Decision Date	03/07/14
Appeal Type	Suspension	Proposal for	Grant Motion to Dismiss.
ALJ	Daniel Stralka	Decision	

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-23-14**

Employee	Robert J. Frasco	Appeal Date	02/03/14
Agency	Central Management Svcs.	Decision Date	03/07/14
Appeal Type	Discharge	Proposal for	Dismissed for default (no show at hearing).
ALJ	Andrew Barris	Decision	

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-20-13**

Employee	Frank J. Roman III	Appeal Date	11/27/12
Agency	State Police	Decision Date	03/07/14
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-5-14**

Employee	Robyn D. Byrd	Appeal Date	10/02/13
Agency	Human Services	Decision Date	03/07/14
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XII. APPEALS DISMISSED WITH NO DECISION ON THE MERITS

**DA-37-13**

Employee	Floyd Crenshaw	Appeal Date	04/02/13
Agency	Corrections	Decision Date	02/28/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Andrew Barris		

**DA-15-14**

Employee	Samantha McIntosh	Appeal Date	12/27/13
Agency	Corrections	Decision Date	02/28/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**DA-24-14**

Employee	Alejandra Limberg	Appeal Date	02/03/14
Agency	Veterans' Affairs	Decision Date	02/24/14
Appeal Type	Discharge	Proposal for	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris	Decision	

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR  
DECISION IN THE ABOVE MATTERS?**

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held on Friday, April 18, 2014 at 11:00 a.m.  
in the Commission's Chicago office.**

XV. MOTION TO ADJOURN